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Question of the Falkland Islands (Malvinas)

Note verbale dated 2 April 2012 from the Permanent Mission of Paraguay to the United Nations addressed to the Secretary-General

The Permanent Mission of the Republic of Paraguay to the United Nations hereby refers to the Declaration on the Question of the Malvinas Islands adopted by the Council of Ministers for Foreign Affairs of the Union of South American Nations (UNASUR) at the meeting held in Asunción, Paraguay, on 17 March 2012.

In that connection and pursuant to instructions from the Government of the Republic of Paraguay in its capacity as President pro tempore of the Union of South American Nations (UNASUR), it hereby transmits a letter from the Minister for Foreign Affairs, Mr. Jorge Lara Castro, with the text of the aforementioned Declaration enclosed, and requests that it be delivered to the addressee.

It would be appreciated if this letter and the Declaration could be circulated as a document of the General Assembly under agenda item 45, concerning the question of the Malvinas Islands.

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Annex to the letter dated 2 April 2012 from the Permanent Mission of Paraguay to the United Nations addressed to the Secretary-General

I have the honour to write to you in accordance with the decision taken at the recent ordinary session of the Council of Ministers for Foreign Affairs of the Union of South American Nations (UNASUR), held in Asunción on 17 March 2012, at which a Declaration on the Question of the Malvinas Islands was adopted.

In that connection, I hereby transmit the aforementioned Declaration (see enclosure). As you will see, it renews the call to resume negotiations as soon as possible in order to find a peaceful and definitive solution to this sovereignty dispute, in accordance with the provisions of successive resolutions of the United Nations General Assembly.

It also reiterates the request made in the letter dated 2 April 2011, which was signed by the Heads of State and Government of UNASUR, that you renew your efforts to implement the good offices mission that was entrusted to you by the United Nations General Assembly and inform us of the progress made as a result of your endeavours.

In executing this mandate as President pro tempore of UNASUR, I wish to reiterate the need to take action in order to move towards a definitive solution to this issue, which has become a South American cause.

(*Signed*) Jorge Lara **Castro**
Minister

Enclosure

Declaration of the UNASUR Council of Ministers for Foreign Affairs on the question of the Malvinas Islands

The Council of Ministers for Foreign Affairs of the Union of South American Nations (UNASUR) reiterates its strong support for the legitimate rights of the Argentine Republic in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas in accordance with statements made at the summits of the Council of Heads of State and Government of the Union of South American Nations, the UNASUR Declaration on military activities of the United Kingdom in the Malvinas Islands, the Declaration on cooperation of the States members of the Union of South American Nations with regard to certain movements of vessels travelling to the Malvinas Islands, South Georgia Islands and South Sandwich Islands, which includes the member States' commitment to adopt, pursuant to international law and their respective domestic legislation, all appropriate regulatory measures to prevent the entry into their ports of vessels flying the illegal flag of the Malvinas Islands, and the Declaration on the deployment of the frigate HMS Montrose to the Malvinas Islands.

The Council regrets that, despite the time elapsed since the adoption of United Nations General Assembly resolution 2065 (XX) and subsequently resolutions 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25, this long-standing dispute is still unresolved and that, despite the widespread international support for negotiations between the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to find a peaceful solution to the sovereignty dispute as soon as possible, the decolonization mandate of the General Assembly resolutions on the Malvinas Islands remains unimplemented.

The Council underscores the ongoing constructive attitude and willingness of the Argentine Government to reach, through negotiations, a peaceful and definitive solution to this anachronistic colonial situation on the soil of the Americas and regrets the United Kingdom's refusal to resume sovereignty negotiations, disregarding the calls of the international community.

In that connection, it underscores the commitment made by the Government of Argentina, in accordance with the mandate of the aforementioned resolutions and enshrined in its Constitution, to take into account the interests and respect the way of life of the inhabitants of the Malvinas Islands, pursuant to the principles of international law.

In that regard, the announcement that the President of the Argentine Republic, Cristina Fernández de Kirchner, will attend the next session of the Special Committee on decolonization confirms the willingness of the Argentine Government, expressed at the highest political level, to reach a peaceful and definitive solution to the sovereignty dispute.

The Council emphasizes that the military presence of the United Kingdom of Great Britain and Northern Ireland in the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas is contrary to the region's policy of seeking a peaceful settlement of the sovereignty dispute and

reaffirms its rejection of that presence and of the implementation of unilateral British activities in the disputed area, which include, inter alia, the exploration and exploitation of Argentina's renewable and non-renewable natural resources and the conduct of military exercises in violation of United Nations General Assembly resolutions, especially resolution 31/49.

The UNASUR Council of Ministers for Foreign Affairs reiterates the call for the Government of the United Kingdom to respond to the genuine willingness shown by the Government of Argentina by resuming negotiations in order to end as soon as possible the sovereignty dispute concerning the question of the Malvinas Islands, in accordance with the provisions of United Nations General Assembly resolutions. It also reiterates the request made to the Secretary-General in the letter of April 2011, signed by all the Heads of State and Government of UNASUR, to renew his efforts to implement the good offices mission entrusted to him by the United Nations General Assembly.

Signed in the city of Asunción, Republic of Paraguay, on 17 March 2012.